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THE NEW NATURE CONSERVATION LAW OF THE RSFSR

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THE NEW NATURE CONSERVATION LAW OF THE RSFSR

[Following is the translation of an article by Erwin Bucholz in Osteuropa (Eastern Europe), Vol 11, No 2, Stuttgart, February 1961, pages 130-134].

On 27 October 1960 a "Nature Conservation Law for the RSFSR" was passed (Pravda 28 October 1960 and Vedomosti Verkhovnogo Sovieta RSFSR (Bulletin of Supreme Soviet of the RSFSR), No 40, 31 October 1960). This law embodies all previous nature conservation laws, and we may assume that it will be adopted by the other republics of the USSR as well. The introduction to the law says "Nature and its resources form the natural basis for the development of the economy in the Soviet state, they are the source for continuous growth of material and cultural values, they insure the best conditions for work and rest for the people. The protection of natural resources is therefore the most important task for the state and for the entire population".

There has been no lack of nature conservation measures in the past, neither in Russia nor in the Soviet Union. In the 17th century, decrees were passed which limited or prohibited the catching of river beaver, sable, or hunting falcon in Russia. Peter I. prohibited the hunting of elk by law (1714), and passed very strict laws for the protection of forests growing lumber for shipbuilding (korabelnyye lesa), erecting a gallows every three verst in order to demonstrate to the population the severity of the punishment for damaging the forest. The successors of Peter I passed several very ineffective decrees concerning the protection of game, but they could not prevent the extinction of the valuable fur animals of Russia (sable, river beaver, otter) over large areas during the turn of the last century. Only after the proclamation of very strict game protection laws in 1924-25, and after an all-Russian society for nature conservation had been formed (Vserossiyskoye obshchestvo okhrany prirody), the amount of game has increased again so that it is now larger than it was one hundred years ago.

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Even before the World War II, nature conservation in the Soviet Union had developed into a network of interacting measures which in essence cover the following points:

1. Creation of reservations and game preserves,
2. Conservation of natural landscapes and of raw materials,
3. Stop exploitation of all forests which protect water, fields, or sand,
4. Protection of wonders of nature, rare animals, etc.

The new law of 27 October 1960 expands the list of natural objects to be conserved to include all natural resources of the country, whether they are exploited for the economy or not. The law is composed of the following 22 articles (here given in condensed form):

Article 1: Natural objects to be protected. a) land, b) minerals and ores, c) water, d) forests and other natural vegetation and plantings, e) typical landscapes, wonders of nature, f) spas, parks, green-belts in cities, g) fauna, h) air.

Article 2: Soil conservation (okhrana zemel'), that is, measures for maintaining certain crop cultures, for improving the soil and counteracting soil erosion as well as the maintenance of the most favorable conditions for moisture and fertility in the soil. All users of land (including kolkhozes and sovkhozes) are obligated to cooperate. Especially prohibited are agricultural methods which favor erosion by water or by wind, which would create swamps, or contaminate the soil with salt.

Article 3: Conservation of minerals and ores (okhrana nedr). These are the resources of solid, liquid or gaseous substances in the earth which furnish raw material for the national economy, and other geological formations which are important for the production or for scientific research. The ministries in charge of exploiting these resources are under the control of the geological authorities.

Article 4: Bodies of water. Waters on or below the earth's surface are protected against exhaustion and contamination and are regulated to take care of the water supply of the country, the sources of energy, hunting and fishing, spas, etc. It is prohibited to operate plants which discharge their waste water without previous purification.

Article 5: Conservation of forests. Measures are introduced here which insure the quick reforestation of exploited areas, as well as protection against fire, insects, grazing of cattle, theft of wood, etc. The cutting of wood must not exceed the norm set for the particular area. Forests which protect fields, water or soil are given special consideration.

Article 6: Protection of other natural vegetation. This includes wild vegetation as a basis for feeding domestic animals and game (meadows, grazing land, etc.), also valuable and rare plants.

Article 7: Protection of parks in populated areas.

Article 8: Conservation of typical landscapes and rare natural objects. Typical landscapes and unique examples of natural conditions in zones and areas which are valuable from the scientific, cultural or sanitary point of view.

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Article 9: State reservations and preserves. Certain territories are declared permanent reservations (zapovedniki) or temporary preserves (zakazniki) for cultural, scientific or economic purposes by the Council of Ministers of the RSFSR.

Article 10: Protection of spas, wooded parks and green belts at the edge of cities.

Article 11: Protection of fauna. All wild animals which are useful -- birds, fish, etc., which serve as objects for hunting, fishing, or other trades, are protected. Their exploitation is governed by special laws.

Article 12: Sanitary protection of nature. This includes the air, ground level and subterranean waters, soil and subsoil. The executive organs have the obligation to prevent air pollution, contamination of water and soil, and defacing of the landscape (zakhamleniye).

Article 13. Registering quantities and types of natural resources. The ministries, officials and sovnarkhozes which deal with the exploitation of natural resources are obligated to keep track of their quantity and quality by means of land registry, appraisals, special maps, etc. The Central Statistical Administration of the RSFSR also takes part in this.

Article 14: Plans for utilization of natural resources. The offices for planning and economic development have the duty to guard against excessive exploitation (for instance of forests) and to maintain and replenish the natural resources.

Article 15: Control of nature conservation. The Council of Ministers of the RSFSR and its executive organs supervise nature conservation activities.

Article 16: Participation of public (social) organizations in nature conservation. Since nature conservation is a concern of the entire population, the social organizations also take part (trade unions, youth, science), with the participation of the masses of workers, members of kolkhozes, and intelligentsia. Public inspection agencies are being created to aid the state conservation agencies, and their activities are geared to those of other inspection agencies (for hunting, fishing, etc.). The services of these inspectors are rendered on an honorary basis.

Article 17: Scientific research concerning problems of nature conservation.

Article 18: Teaching the principles of nature conservation in schools. In order to instill the habit of being careful with natural resources, special lessons are being introduced in institutions of higher learning or specialized secondary institutions.

Article 19: Propaganda concerning questions of nature conservation. Cultural and educational organizations (publishing houses, museums, motion picture theatres, radio, TV, etc.) will include the tasks of nature conservation in their programs.

Article 20: Responsibility of directors of offices and commercial enterprises. Offices, organizations, and commercial enterprises which have been given land or other natural resources for exploitation have the obligation to insure efficient exploitation and replenishment of the resources. The directors of these organizations are held legally responsible for any destruction or damage that might occur.

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Article 21: Responsibility of the citizen. Citizens who illegally exploit or damage natural resources will be prosecuted according to the law and will be ordered to make restitution payments.

Article 22: Planning and realization of measures for nature conservation. These are the duty of the Council of Ministers of the RSFSR.

We see from the above condensed version of the law that nature conservation in the RSFSR (and we assume that the other republics of the USSR will follow soon) has been put on an entirely new basis. Nature conservation has received important official recognition by the state in the widest sense of the word, within the framework of the long-term exploitation of the natural resources of the country. This is the important content of the law, this is the main difference to the much more limited ideas of nature conservation in the US and Western Europe. From now on, no enterprise which does not conform to the nature conservation laws will be allowed to operate in the USSR.

The practical application of the law will take some time to develop, since vast territories are to be covered, which can easily escape control. Thus it will be impossible for the large cellulose plant combines in the Ural to achieve purification of their waste water before emptying it into the rivers from one day to the next. It will also be impossible immediately to eliminate poaching, stealing of wood, damage to forests, defacing of the landscape, etc. The important part of the law is that it provides for re-education of youth for large-scale propaganda actions on nature conservation; for with the progress of industrialization and the congestion of people in large cities, the maintenance of the steadily diminishing natural landscape becomes a very urgent problem.

It is to be assumed that the stipulations for the execution of these laws in case of violation will contain stronger penal measures than has been the case so far. The uselessness of imposing fines on cellulose plants or other establishments for contaminating bodies of water by harmful waste may serve as an example. The state industrial enterprises so punished simply absorb these high fines in their budget and let it go at that, instead of building filter plants with these funds. Another example is poaching (brakonyerstvo) which causes many complaints from hunters. Still, the propaganda action provided in the law will contribute much to the spreading of the idea of nature conservation, so that it will take roots in large parts of the population, thus contributing to the care of nature's resources.

Green Belt around Greater Moscow

As an effect of the nature conservation law, the execution of the master plan for the creation of a large forested green belt around the Soviet metropolis which had been in preparation for several years, is now taking shape. Since World War I and the confusion of the revolution, the forests around Moscow have suffered heavy damage. They have been cut up and wasted. Instead of pine forests, there are now inferior aspen woods affected by red rot and brushwood which no longer deserve the name of forest, since a number of organizations have obtained their firewood from here. Furthermore,

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industrial plants have been built around the city which unloaded their waste in the forests and contaminated the air by waste gas and the brooks by waste water.

Because of these circumstances and effects, the structure of the soil in the forests around Moscow has thickened, the water supply of the subsoil has been disturbed; the coniferous trees which remain, especially the fir trees, are drying up and are attacked by bark beetles.

For ten years the municipal forestry department has tried to rehabilitate the damaged forest areas. The 100 hectares which have been reforested each year are not nearly sufficient to take any effect in the forest area owned by the city of Moscow (60,000 ha.). It is therefore quite understandable that there were few Christmas trees in Moscow this year, because young fir trees are lacking everywhere; they are in the process of being planted, but within the next few years the lack of Christmas trees will become still more acute.

The nature conservation law now comes to the rescue of the municipal forest department of Moscow. A new impetus has been added to the reforestation project. The forests are to be called "forest parks" and will be given special care. The Moscow municipal forests are going to be divided into ten "forest park economies" (Lesoparkkhozy) at 4,000 to 5,000 ha each. The academy of sciences of the USSR and other scientific organizations are taking part in the plan for creating green zones in the metropolitan area.